

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

TAMARA LOHR and RAVIKIRAN  
SINDOGI, on behalf of themselves and  
all others similarly situated,

Plaintiffs,

vs.

NISSAN NORTH AMERICA, INC.

Defendant.

NO. 2:16-cv-01023-RSM

**STIPULATION AND ORDER TO  
FURTHER EXTEND CLASS  
CERTIFICATION DEADLINES**

Plaintiffs Tamara Lohr and Ravikiran Sindogi (“Plaintiffs”) and Defendant Nissan North America, Inc. (“NNA”) (collectively, the “Parties”) enter into this stipulation with reference to the following facts and recitals:

1. Five other extensions of the class certification briefing schedule have been entered in this matter. ECF Nos. 62, 68, 70, 73, 75, and 77.
2. To date, the Parties have diligently undertaken discovery. The Parties have propounded and responded to interrogatories and requests for production, and have produced and reviewed documents pursuant to those requests. Thus far, Plaintiffs have taken three Rule 30(b)(6) depositions, and NNA has taken the depositions of the named Plaintiffs. Further, the Parties have inspected the class vehicles of the named Plaintiffs.
3. Following the entry of the Court’s last extension, the Parties have conferred about ongoing discovery, but have been unable to complete discovery as a result of the ongoing COVID-19 pandemic.
4. The remaining discovery needed by both Parties prior to class certification briefing includes the taking of depositions and inspections of a number of panoramic

sunroofs being stored by NNA. This work will require extensive air travel by the Parties' counsel and experts.

5. In light of a recent surge in COVID-19 cases nationwide, many states, localities, and courts have implemented more strict public health and safety guidelines. Further, Japan, where NNA's parent corporation is located, has implemented additional public health and safety guidelines, including strict travel restrictions.

6. The Parties have conferred and have determined that, due to travel restrictions and other public health and safety guidelines relating to the ongoing COVID-19 pandemic, they will likely be unable to complete discovery before the Court's September 17, 2020 deadline.

7. The Parties are coordinating discovery and class certification deadlines in this action with a companion case filed in the Northern District of California, *Johnson, et al. v. Nissan N. Am., Inc.*, Case No. 3:17-cv-00517-WHO.

8. The Western District of Washington has recognized the serious health risks associated with COVID-19 and has taken steps in response to its recent outbreak, including issuing General Order Nos. 01-20, 02-20, 03-20, 04-20, 05-20, 07-20, 08-20, 09-20, and 10-20. The Court recognized the ongoing danger posed to the public health and safety with its most recent General Order, No. 10-20, entered on July 21, 2020, which mandated that all entrants to the Court must wear face coverings within the Court's premises.

9. As a result of the recent surge in COVID-19 cases nationwide, the Parties have conferred and have agreed to extend the deadlines in this case and in *Johnson* to accommodate the delays in discovery necessary to ensure the safety and health of the Parties and their counsel.

10. The Parties have coordinated with counsel in *Johnson* and are seeking entry of a similar scheduling order. If this Court and the *Johnson* court approve

these requests, then the two cases will remain on parallel tracks should resolution not be reached prior to class certification. An extension of the deadlines in this matter, as reflected below, may facilitate on-going informal settlement discussions, and will not be unduly prejudicial to either party.

11. For the above reasons, the Parties stipulate to extend the deadlines in this matter as set forth below and respectfully request that the Court enter an order accordingly:

<b>Event</b>	<b>Deadline</b>	<b>Proposed Deadline</b>
Deadline to file Motion for Class Certification and serve Plaintiffs' expert disclosures and reports	September 17, 2020	February 17, 2021
Deadline for Plaintiffs to produce experts for deposition	October 28, 2020	March 29, 2021
Deadline to file opposition to Motion for Class Certification and serve NNA's expert disclosures and reports	January 14, 2021	June 14, 2021
Deadline for NNA to produce experts for deposition	February 18, 2021	July 19, 2021
Deadline to file reply regarding Motion for Class Certification	March 2, 2021	August 2, 2021
Class Certification Hearing	To be set by the Court	To be set by the Court

IT IS SO STIPULATED.

Respectfully submitted,

Dated: July 30, 2020

By: /s/ Lisa A. White  
On Behalf of Plaintiffs

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Dated: July 30, 2020

By: /s/ Holly Pauling Smith  
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***Attorneys for Defendant***

**I. ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: August 14, 2020.

A handwritten signature in black ink, appearing to read 'R. Martinez', is positioned above a horizontal line.

RICARDO S. MARTINEZ  
UNITED STATES DISTRICT JUDGE